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**FILED**

JUL - 7 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**SLM**

5  
6  
7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
9

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 JIM PITTMAN aka JIM W. PITTMAN  
14 aka JAMES W. PITTMAN,

15 Defendant(s). /

**CV 08**

Case No.

**3254**

**COMPLAINT**

(Student Loan\Debt Collection Case)

16 Plaintiff, through its attorney, alleges:

- 17 1. Jurisdiction: The Court has jurisdiction of this action under 28 U.S.C. Section  
18 1345.  
19 2. Defendant resides in the Northern District of California.  
20 3. Defendant owes plaintiff \$6,858.29, plus additional interest according to the  
21 Certificate of Indebtedness, a copy of which is annexed hereto as Exhibit A.

22 WHEREFORE, plaintiff demands judgment against defendant for the sum of  
23 \$6,858.29, additional interest to the date of judgment, attorney's fees in the amount of  
24 33.33% of the debt, and court costs.

25 Date: June 23, 2008



26 LAW OFFICE OF MICHAEL COSENTINO  
27 By: MICHAEL COSENTINO  
28 Attorney for the Plaintiff  
United States of America

**U. S. DEPARTMENT OF EDUCATION  
SAN FRANCISCO, CALIFORNIA**

**CERTIFICATE OF INDEBTEDNESS #1 of 1**

Jim W. Pittman  
Aka: James W. Pittman  
1006 Kenmore Ln.  
Santa Rosa, CA 95407-6765  
Account No: 5224

I certify that Department of Education records show that the borrower named above is indebted to the United States in the amount stated below plus additional interest from 05/22/07.

On or about 12/04/98, the borrower executed promissory note(s) to secure loan(s) of \$2,625.00 and \$4,000.00, from the U.S. Department of Education at a variable interest rate to be established annually. The loan was made by the Department under the William D. Ford Federal Direct Loan Program under Title IV, Part D of the Higher Education Act of 1965, as amended, 20 U.S.C. 1087a et. seq. (34 CFR Part 685). The Department demanded payment according to the terms of the note(s), and the borrower defaulted on the obligation on 10/17/00. Pursuant to 34 C.F.R. 685.202(b), a total of \$233.29 in unpaid interest was capitalized and added to the principal balance.

The Department has credited a total of \$1,127.00 in payments from all sources, including Treasury Department offsets, if any, to the balance. After application of these payments, the borrower now owes the United States the following:

Principal	\$6,858.29
Interest:	\$1,656.19
 Total debt as of 05/22/07:	 \$8,514.48

Interest accrues on the principal shown here at the current rate of 7.14 percent and a daily rate of \$1.34 through June 30, 2007 and thereafter at such rate as the Department establishes pursuant to section 455(b) of the Higher Education Act of 1965, as amended, 20 U.S.C. 1087e.

Pursuant to 28 U.S.C. § 1746(2), I certify under penalty of perjury that the foregoing is true and correct.

Executed on: 6/25/07

Name:   
Loan Analyst  
Litigation Support

**EXHIBIT A**